

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14268 of 2004

Between:

- 1 B.Ashok, S/o.Eswaraiah,
Midhani Bus Depot, Hyderabad.
- 2 S.Purnachadra Rao, S/o.Madhusudhana Rao,
Dilsukhnagar, Bus Depot, Hyderabad.
- 3 J.Hanumantha Reddy, S/o.Pullu Reddy,
Dilsukhnagar, Bus Depot, Hyderabad.
- 4 P.Baghavantha Reddy, S/o.Chandra Reddy
Kukatpally Bus Depot, Hyderabad.
- 5 S.S.Narayana, S/o.Appala Swamy,
Kukatpally Bus Depot, Hyderabad.
- 6 Y.Sampathamma, W/o.B.V.R.Subba Rao,
Uppal Bus Dept., Hyderabad.
- 7 R.Srinivasa Reddy, S/o.Prathapa Reddy,
Uppal Bus Depot, Hyderabad.
- 8 D.Subba Rao, S/o.Ramakrishnaiah,
O/o.The Test Audit Section, APSRTC MD Office,
Musheerabad, Hyderabad.
- 9 Janardhan, S/o.Mahender,
Ranigunj II Depot, Hyderabad.
- 10 R.Mallesh, S/o.R.Narayana,
Ranigunj II Depot, Hyderabad.
- 11 A.Madhusudhan Rao, S/o.Venkat Ramaiah,
APSRTC, Hyderabad.

..... PETITIONERS

AND

- 1 The Regional Manager, APSRTC, Hyderabad City Region, JBS,
Picket, Secunderabad.
- 2 The Depot Manager, APSRTC, Dilsukhnagar Bus Depot,
Hyderabad.

- 3 The Depot Manager, APSRTC, Kukatpally Bus Depot, Hyderabad.
- 4 The Depot Manager, APSRTC, Uppal Bus Depot, Hyderabad.
- 5 The Depot Manager, APSRTC, Ranigunj II Depot, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents in not giving special Grade/stagnation Increment to the petitioners with effect from their completion of 12 years of service in APSRTC in total (All regions) and counting the present region's service of 12 years for special Grade as arbitrary, illegal, unjust and unreasonable and contrary to the judgments of this Hon'ble Court and consequently direct the respondents to effect the 12 years stagnation Increment/special Grade to the petitioners on their completion of 12 years of service in all regions of the corporation.

Counsel for the Petitioners: MR.P.VENKATESWAR RAO

Counsel for the Respondents: MR.K.HARINATH, SC for A.P.S.R.T.C

The Court at the admission stage made the following ORDER:

The petitioners are the employees of the respondent – Corporation. They are contending that they have completed 12 years of service and are eligible to get the Special Grade/Stagnation Increment. Since, the respondents did not release the Special Grade/Stagnation Increment, they approached this Court seeking a direction for sanctioning the Stagnation Increment by taking into consideration that the petitioners completed 12 years of service.

A Division Bench of this Court in Writ Appeal No.1301 of 2000 held through its judgment dated 29.10.2002 that the employees, who have completed 12 years of service in the same category are eligible for Stagnation Increment by virtue of the second respondent's Circular No.PD-113/1989, dated 03.06.1989.

In the light of the judgment of a Division Bench of this Court and the Circular dated 03.06.1989, the first respondent is directed to consider the request of the

petitioners for release of the Stagnation Increment after satisfying that they have completed 12 years of service in the respondent–Corporation, within two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of with the above directions. No costs.

Dr. G.YETHIRAJULU,J

Va/klp

To

- 1 The Regional Manager, APSRTC, Hyderabad City Region, JBS, Picket, Secunderabad.
- 2 The Depot Manager, APSRTC, Dilsukhnagar Bus Depot, Hyderabad.
- 3 The Depot Manager, APSRTC, Kukatpally Bus Depot, Hyderabad.
- 4 The Depot Manager, APSRTC, Uppal Bus Depot, Hyderabad.
- 5 The Depot Manager, APSRTC, Ranigunj II Depot, Hyderabad.
- 6 Two CD Copies